

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Stephon Wrays,

Plaintiff,

v.

Maricopa County; Trisha Amin, 1218H;
MHA 1114H; RN1022H; Keturah Volpe,
CH144; Dr. Gan, CH137; R. Avalos,
PAC 1632H; MHP CH139; MHA 1790H;
John and Jane Does; Entities I-X,

Defendants.

NO. _____

INDEX

Exhibits:

(A) Civil Cover Sheet

(B) State Court Record

Attachments:

1. Supplemental Cover Sheet
2. Recent State Court Docket
3. Complaint
4. Service Documents
5. Remainder of the State Court Record
6. Verification of Sherle R. Flaggman

(C) Superior Court Notice of Removal to the Federal District Court

EXHIBIT A

Civil Cover Sheet

(AO Form JS-44)

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s): Stephon Wrays

**Defendant(s): Maricopa County ; Trisha Amin ;
Viviana Machado ; Cindy Zaffino ;
Keturah Volpe ; Victor Gan ; Robin
Avalos ; Angela Fischer ; Taylor
Newell ; Karen Meija Quintana**

County of Residence: Maricopa

County of Residence: Maricopa

County Where Claim For Relief Arose: Maricopa

Plaintiff's Atty(s):

**Keith M. Knowlton (Stephon Wrays)
Keith M. Knowlton, L.L.C.
9920 S. Rural Rd., Ste. 108, PMB #132
Tempe, Arizona 85284-4100
480-755-1777**

Defendant's Atty(s):

**Sherle R. Flaggman (Maricopa County ; Trisha
Amin ; Viviana Machado ; Cindy Zaffino ; Keturah
Volpe ; Victor Gan ; Robin Avalos ; Taylor Newell
Karen Meija Quintana)
Maricopa County Attorney's Office Civil Services
Division
225 W. Madison Street
Phoenix, Arizona 85003
602-506-8541**

REMOVAL FROM MARICOPA COUNTY, CASE #CV2021-096095

II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**

III. Citizenship of Principal
Parties (Diversity Cases Only)

Plaintiff:- N/A
Defendant:- N/A

IV. Origin : **2. Removed From State Court**

V. Nature of Suit: **440 Other Civil Rights**

VI. Cause of Action: **42 USC 1983**

VII. Requested in Complaint

Class Action: **No**

Dollar Demand: **N/A**

Jury Demand: **Yes**

VIII. This case is not related to another case.

Signature: s/ Sherle R. Flaggman

Date: 05/02/2022

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.

Revised: 01/2014

EXHIBIT B

State Court Record

Attachments:

1. Supplemental Cover Sheet
2. Recent State Court Docket
3. Complaint
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6. Verification of DCA Sherle R. Flaggman

Attachment 1

Supplemental Civil Cover Sheet

**SUPPLEMENTAL CIVIL COVER SHEET
FOR CASES REMOVED FROM ANOTHER JURISDICTION**

This form must be attached to the Civil Cover Sheet at the time
the case is filed in the United States District Clerk's Office

Additional sheets may be used as necessary.

1. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

<u>Party</u>	<u>Party Type</u>	<u>Attorney(s)</u>
Stephon Wrays	Plaintiff	Keith M. Knowlton, Esq. (011565) KEITH M. KNOWLTON, L.L.C. 9920 S. Rural Rd., Ste. 108, PMB #132 Tempe, AZ 85284-4100 480-755-1777
Maricopa County; Trisha Amin; Viviana Machado; Cindy Zaffino; Taylor Newell; Keturah Volpe; Victor Gan; Robin Avalos; Karen Mejia Quintana; Angela Fischer	Defendants	Sherle R. Flaggman, DCA (019079) Maricopa County Attorney's Office Civil Services Division 225 West Madison Street Phoenix, AZ 85003 602-506-8541

2. Jury Demand:

Was a Jury Demand made in another jurisdiction? Yes ☒ No ☐

If "Yes," by which party and on what date?

Plaintiff

12/31/2021

3. Answer:

Was an Answer made in another jurisdiction? Yes ☐ No ☒

If "Yes," by which party and on what date?

4. Served Parties:

The following parties have been served at the time this case was removed:

<u>Party</u>	<u>Date Served</u>	<u>Method of Service</u>
Trisha Amin; Viviana Machado; Cindy Zaffino; Taylor Newell; Keturah Volpe	3/31/21	Process Server
Victor Gan; Robin Avalos; Karen Mejia Quintana	3/31/21	Process Server
Maricopa County	4/25/21	Process Server

5. Unserved Parties:

The following parties have not been served at the time this case was removed:

<u>Party</u>	<u>Reason Not Served</u>
Angela Fischer	Unknown

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate changes from the style of the papers from another jurisdiction and the reason for the change:

<u>Party</u>	<u>Reason for Change</u>
N/A	

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

<u>Party</u>	<u>Claims</u>
Plaintiff	42 U.S.C. § 1983 violations of Fourth and Fourteenth Amendments

Pursuant to 28 USC § 1446(a) a copy of all process, pleadings, and orders served in another jurisdiction (State Court) shall be filed with this removal.

ATTACHMENT 2

State Court Docket

 > [Docket](#)

Civil Court Case Information – Case History

Case Information

Case Number: CV2021-096095 Judge: Hopkins, Stephen
File Date: 12/31/2021 Location: Southeast
Case Type: Civil

Party Information

Party Name	Relationship	Sex	Attorney
Stephon Wray	Plaintiff	Male	Keith Knowlton
Maricopa County	Defendant		Pro Per
Trisha Amin	Defendant	Female	Pro Per
M H A, 1114h	Defendant		Pro Per
R N 1022h	Defendant		Pro Per
Keturah Volpe	Defendant	Unknown	Pro Per
R Avalo	Defendant	Unknown	Pro Per
M H A, 1790h	Defendant		Pro Per
Correctional Health Services	Defendant		Pro Per

Case Documents

Filing Date	Description	Docket Date	Filing Party
4/12/2022	AFS - Affidavit Of Service NOTE: KATHERINE DE LA CRUZ-MARTINEZ	4/20/2022	
4/12/2022	AFS - Affidavit Of Service NOTE: CORRECTIONAL HEALTH SERVICES	4/21/2022	
4/12/2022	AFS - Affidavit Of Service NOTE: CORRECTIONAL HEALTH SERVICES	4/27/2022	
4/12/2022	AFS - Affidavit Of Service NOTE: CORRECTIONAL HEALTH SERVICES	4/27/2022	
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4/12/2022	AFS - Affidavit Of Service NOTE: MARICOPA COUNTY	4/27/2022	
4/12/2022	AFS - Affidavit Of Service NOTE: CORRECTIONAL HEALTH SERVICES	4/27/2022	
4/8/2022	375 - Case on Dismissal Calendar	4/8/2022	
3/31/2022	MXS - Motion To Extend Time For Service NOTE: Motion for Extension of Time to Serve Defendants	4/6/2022	
3/9/2022	322 - ME: Notice Of Intent To Dismiss	3/9/2022	
12/31/2021	COM - Complaint NOTE: Complaint	1/3/2022	
12/31/2021	CSH - Coversheet NOTE: Civil Cover Sheet	1/3/2022	
12/31/2021	CCN - Cert Arbitration - Not Subject NOTE: Certificate Of Compulsory Arbitration - Is Not Subject To	1/3/2022	
12/31/2021	SUM - Summons NOTE: Summons	1/3/2022	
12/31/2021	SUM - Summons NOTE: Summons	1/3/2022	

12/31/2021	SUM - Summons	1/3/2022
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12/31/2021	SUM - Summons	1/3/2022
NOTE: Summons		
12/31/2021	SUM - Summons	1/3/2022
NOTE: Summons		

Case Calendar

There are no calendar events on file

Judgments

There are no judgments on file

ATTACHMENT 3

Complaint

Keith M. Knowlton - SBN 011565
Keith M. Knowlton, L.L.C.
9920 S. Rural Road, Suite 108, PMB# 132
Tempe, Arizona 85284-4100
(480) 755-1777; FAX (480) 471-8956
Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stephon Wrays,

Plaintiff,

vs.

Maricopa County, Trisha Amin, 1218H; MHA
1114H; RN 1022H; Keturah Volpe CH 144;
Dr. Gan CH137; R Avalo PAC1632H; MHP
CH139; MHA 1790H John & Jane Does and
Entities I-X,

Defendants.

CV2021-096095

COMPLAINT

42 U.S.C. § 1983

Jury Trial Demanded

COMES NOW Plaintiff Stephon Wrays (“Wrays”), through undersigned counsel,
as and for his Complaint against Defendants, alleges as follows:

JURISDICTION AND VENUE

1. Plaintiff has completed the grievance process and therefore can pursue claims against Defendants under 42 U.S.C. § 1983.
2. This Court has jurisdiction and venue over this matter and the parties.

PARTIES

1 3. Plaintiff, Stephon Wrays (“Wrays”) is, and was at all times relevant, a naturally
2 born citizen of the United States and resident of Maricopa County, Arizona.

3 4. Maricopa County, a body politic of the State of Arizona.

4 5. Maricopa County Correctional Health Services is a non-jural entity of Maricopa
5 County and provides medical care and treatment to inmates in the Maricopa County jail
6 system.

7 6. Defendants Trisha Amin, 1218H, MHA 1114H, RN 1022H, Keturah Volpe CH 144, Dr.
8 Gan CH137, R. Avalo PAC1632H. MHP CH139, MHA 1790H (referred to herein collectively
9 as “Medical Providers”) are at all relevant times, employees of CHS and caused events to
10 occur in Maricopa County out of which this complaint arose.

11 7. John and Jane Does are fictitious names for other individuals who may have
12 caused injury to Plaintiff. Plaintiff will amend the Complaint to include unknown
13 individuals as soon as their involvement and identity is determined.

13 **JURY TRIAL REQUEST**

14 8. Plaintiff requests a jury trial.

15 **FACTUAL ALLEGATIONS**

16 9. Plaintiff incorporated herein by this reference all the preceding numbered
17 paragraphs.

18 10. On January 8, 2020, Plaintiff was in Court with his public defendant and probation
19 officer.

20 11. Plaintiff was seriously ill.

21 12. His condition was obvious to his public defendant and probation officer who did
22 not recommend Plaintiff be held over in a jail but that he immediately go to the hospital.

23 13. The Court sent him to jail with the belief that medical at the jail would
24 immediately take care of Plaintiff. That did not happen.

25 14. Plaintiff had the following symptoms in Court: (1) hard time breathing; (2)
swelling in his throat; (3) weakness over his whole body, he could barely stand up; (4)

1 swollen legs and ankles; (5) large abscess on his chin; (6) Pain over his whole body but
2 particularly his lower back.

3 15. Plaintiff was brought over to 4th Avenue Jail. He was seen by RN 1022H on
4 1/8/2020 at 2:37:57 p.m. MST and explained he needed immediately to see a doctor and
5 receive treatment for his symptoms. He was ignored by the RN and sent back to the
6 holding area with other inmates.

7 16. RN 1022h did not examine Plaintiff and did not document any medical symptoms
8 or the obvious abscess or the obvious swollen legs and ankles.

9 17. PA-C Med, 1632H documented that on 1/8/2020 at 7:57:29 p.m. MST that
10 “[p]atient discussed with nursing. Will admit to intake-provider admission management
11 area for evaluation with provider.” This did not occur because PA-C Med, 1632 made
12 the exact same entry on 1/10/2020 at 12:39:17 a.m. MST.

13 18. Nobody told Plaintiff that he would see a provider and Plaintiff began begging the
14 guards to get him immediately to a nurse or a doctor.

15 19. However nothing happened other than the guards’ becoming irritated with
16 Plaintiff.

17 20. Plaintiff told the guards if he did not see a nurse or doctor immediately he would
18 commit suicide.

19 21. The guards then took Plaintiff and put him in a safe cell by himself.

20 22. He was held in the safe cell by Mental Health (“MH”).

21 23. He was held by Provider Trisha Amin, 1218H, Provider Keturah Volpe, MHA
22 1114H, MHP CH139 and MHA 1790H from 1/8/2020 at 8:42:09 p.m. MST to 1/9/20 at
23 or about 1:02:41 p.m. MST.

24 24. Other than visiting cell side they did not medically examine Plaintiff but instead
25 only concerned themselves with mental health even though he was telling them his
medical symptoms.

1 25. On 1/10/2020 at 1:27:54 am. MST Plaintiff was seen by R. Avalos PA-C Med
2 1632H for an intake provider assessment. 1632H did not documents the swollen legs but
3 did document the abscess on the chin. No treatment was provided and no assessment of
4 his symptoms.

5 26. On 1/11/2020 at or about 10:25:09 a.m. MST, Plaintiff was found in his cell
6 unresponsive and struggling to breath. He was immediately sent by Dr. Gan, CH 137 by
7 ambulance to Valleywise emergency room and remained in a coma for 16 days.

8 27. Defendants did not address his symptoms but instead only address the suicide
9 watch and DTX concerns. He could not breathe and went into a coma because he could
10 not breathe.

11 28. Defendants did no lab work to determine what was causing his symptoms, much
12 less his swollen legs and abscess.

13 29. Plaintiff was observed with the following:

14 "Pt is clearly altered, is not speaking to this writer, is groaning, and is having
15 difficulty breathing with his mouth wide open. Pt was refusing his CIWA, and
16 when this writer attempted to check on pt, pt would become combative upon any
17 touch. Unable to obtain VS at that time due to safety concerns. Pt was brought to
18 the clinic via wheelchair and allowed medical to obtain VS and put O2 on him. Pt
19 was asked if he has a history of COPD d/t O2 saturation of 90% on room air, to
20 which pt grunted and shook his head "yes". Pt would not answer any questions. Pt
21 is clearly in distress. Pt is nondiaphoretic, and has mucous in his mouth. LCTAB,
22 S1S2 present. Pt is Tachycardic and tachypneic.

23 30. Plaintiff was diagnosed with retropharyngeal abscess, psoas abscess and
24 disseminated coccidiomycosis. All of these life threatening.

25 31. The original neck abscess as diagnosed with cervical osteomyelitis.

32. The neck was opened with exposure of the anterior cervical spine with washout
and drainage of the residual abscess.

COUNT ONE
(42 U.S.C. § 1983)

1 33. The allegations set forth above are fully incorporated herein by this reference.

2 34. In committing the above referenced actions and/or omissions and the following,
3 the Medical Provider Defendants acted under color of state law, and engaged in conduct
4 that was the proximate cause of a violation of Plaintiff's rights under the Fourth and
5 Fourteenth Amendments to the Constitution of the United States of America, including
6 but not limited to deliberate indifference to a known medical needs, thereby violating
7 Plaintiff's civil rights under 42 U.S.C. § 1983.

8 35. Medical Provider Defendants proximately caused Plaintiff damages, including but
9 not limited to physical injuries, pain and suffering, permanent injuries and emotional
10 distress, in an amount to be proven at trial.

11 36. The severity of Plaintiff's medical condition was obvious to anybody who looked
12 at him and Plaintiff told them his symptoms which needed to be assessed and evaluated.

13 37. Instead of treating his symptoms or even taking them seriously, he was put in a
14 safe cell where he could not be assessed and then put in a cell without any medical
15 assessment of his condition even though his abscess on his face was large and obvious,
16 the swelling of his legs was obvious and his breathing problems was obvious until
17 Plaintiff went into a coma and became unresponsive.

18 38. The Medical Provider Defendants knew Plaintiff's symptoms required quick
19 medical treatment and did not provide diagnosis or treatment within the first critical days
20 which resulted in a worsening of his medical condition and a coma for 16 days. .

21 39. Pursuant to 42 U.S.C. § 1983, the Medical Provider Defendants are liable to
22 Plaintiff for the above described violations of Plaintiff's Constitutional rights. Plaintiff is
23 entitled to all rights, remedies, in law or in equity, available to him under 42 U.S.C. §
24 1983.

25 40. Plaintiff is entitled to recover his reasonable costs and attorney's fees under 42
U.S.C. §§ 1983, 1988.

41. Plaintiff is entitled to punitive damages.

1 WHEREFORE, Plaintiff demands the following relief, jointly and severally,
2 against Defendants as follows:

- 3 A. Compensatory general and special damages in an amount according to proof
4 at time of trial;
- 5 B. Attorneys fees;
- 6 C. Punitive damages;
- 7 D. Compensatory Damages;
- 8 E. Costs of suit necessarily incurred herein;
- 9 F. Prejudgment interest according to proof; and
- 10 G. Such further relief as the Court deems just and proper.

11
12 RESPECTFULLY SUBMITTED this 31st day of December, 2021.

13 KEITH M. KNOWLTON, L.L.C.

14 /s/ Keith Knowlton

15 By: _____
16 Keith M. Knowlton
17 Attorney for Plaintiff

ATTACHMENT 4

Service Documents

Clerk of the Superior Court
*** Electronically Filed ***
C. Cuellar, Deputy
12/31/2021 12:53:59 PM
Filing ID 13770219

Person/Attorney Filing: Keith M Knowlton
Mailing Address: 9920 S. Rural Road, Ste. 108 Pmb# 132
City, State, Zip Code: Tempe, AZ 85284
Phone Number: (480)755-1777
E-Mail Address: keithknowlton@msn.com
☐ Representing Self, Without an Attorney
(If Attorney) State Bar Number: 011565, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays
Plaintiff(s),
v.
Maricopa County, et al.
Defendant(s).

Case No. CV2021-096095

SUMMONS

To: Maricopa County

WARNING: THIS AN OFFICIAL DOCUMENT FROM THE COURT THAT AFFECTS YOUR RIGHTS. READ THIS SUMMONS CAREFULLY. IF YOU DO NOT UNDERSTAND IT, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers were served on you with this Summons.
2. If you do not want a judgment taken against you without your input, you must file an Answer in writing with the Court, and you must pay the required filing fee. To file your Answer, take or send the papers to Clerk of the Superior Court, 201 W. Jefferson, Phoenix, Arizona 85003 or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>.
Mail a copy of the Answer to the other party, the Plaintiff, at the address listed on the top of this Summons.
Note: If you do not file electronically you will not have electronic access to the documents in this case.
3. If this Summons and the other court papers were served on you within the State of Arizona, your Answer must be filed within TWENTY (20) CALENDAR DAYS from the date of service, not counting the day of service. If this Summons and the other court papers were served on you outside the State of Arizona, your Answer must be filed within THIRTY (30) CALENDAR DAYS from the date of service, not counting the day of service.

2022 APR 25 AM 10:47
CLERK
BOARD OF SUPERVISORS
MARICOPA COUNTY

Seun Rizer

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of MARICOPA

SIGNED AND SEALED this Date: *December 31, 2021*

JEFF FINE
Clerk of Superior Court

By: *CECILIA CUELLAR*
Deputy Clerk



Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

Person/Attorney Filing: Keith M Knowlton
 Mailing Address: 9920 S. Rural Road, Ste. 108 Pmb# 132
 City, State, Zip Code: Tempe, AZ 85284
 Phone Number: (480)755-1777
 E-Mail Address: keithknowlton@msn.com
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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
 IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays

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Case No. CV2021-096095

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SUMMONS

Defendant(s).

To: RN 1922H

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Mailing Address: 9920 S. Rural Road, Ste. 108 Pmb# 132
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Defendant(s).

To: Keturah Volpe CH144

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Person/Attorney Filing: Keith M Knowlton
Mailing Address: 9920 S. Rural Road, Ste. 108 Pmb# 132
City, State, Zip Code: Tempe, AZ 85284
Phone Number: (480)755-1777
E-Mail Address: keithknowlton@msn.com
[] Representing Self, Without an Attorney
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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
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Stehon M Wrays
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Defendant(s).

Case No. CV2021-096095

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GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of MARICOPA

SIGNED AND SEALED this Date: *December 31, 2021*

JEFF FINE
Clerk of Superior Court

By: *CECILIA CUELLAR*
Deputy Clerk



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City, State, Zip Code: Tempe, AZ 85284
Phone Number: (480)755-1777
E-Mail Address: keithknowlton@msn.com
[] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 011565, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays

Plaintiff(s),

Case No. CV2021-096095

v.

Maricopa County, et al.

SUMMONS

Defendant(s).

To: MHA 1114H

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SUMMONS

Defendant(s).

To: Dr. Gan CH137

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SUMMONS

Defendant(s).

To: R, Avalo PAC1362H

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IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays
Plaintiff(s),
v.
Maricopa County, et al.
Defendant(s).

Case No. CV2021-096095

SUMMONS

To: Risha Amin 1218H

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ATTACHMENT 5

Remainder of State Court Record

**In the Superior Court of the State of Arizona
In and For the County of Maricopa**

Clerk of the Superior Court
*** Electronically Filed ***
C. Cuellar, Deputy
12/31/2021 12:53:59 PM
Filing ID 13770217

Plaintiff's Attorney:

Keith M Knowlton
Bar Number: 011565, issuing State: AZ
Law Firm: Keith M. Knowlton, LLC
9920 S. Rural Road, Ste. 108 Pmb# 132
Tempe, AZ 85284
Telephone Number: (480)755-1777
Email address: keithknowlton@msn.com

CV2021-096095

Plaintiff:

Stehon M Wrays
950 N. Mallard St.
Chandler, AZ 85226
Telephone Number: (602)692-6083
Email address: keithknowlton@msn.com

Defendants:

Maricopa County
Clerk of the Bd of Supervisors 301 E. Jefferson, 10th Floor
Phoenix, AZ 85003

Risha Amin 1218H
234 North Central, Suite 5100
Phoenix, AZ 85004

MHA 1114H
234 North Central, Suite 5100
Phoenix, AZ 85004

RN 1922H
234 North Central, Suite 5100
Phoenix, AZ 85004

Keturah Volpe CH144
234 North Central, Suite 5100
Phoenix, AZ 85004

Dr. Gan CH137

234 North Central, Suite 5100
Phoenix, AZ 85004

R, Avalo PAC1362H
234 North Central, Suite 5100
Phoenix, AZ 85004

MHP CH139
234 North Central, Suite 5100
Phoenix, AZ 85004

MHA 1790H
234 North Central, Suite 5100
Phoenix, AZ 85004

Discovery Tier t3

Case Category: Other Civil Case Categories
Case Subcategory: 42 U.S.C. Sect. 1983

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**CERTIFICATE OF
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Maricopa County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Keith M Knowlton /s/
Plaintiff/Attorney for Plaintiff

Person/Attorney Filing: Keith M Knowlton
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SUMMONS

To: Maricopa County

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v.

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Defendant(s).

Case No. **CV2021-096095**

SUMMONS

To: Risha Amin 1218H

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SUMMONS

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Plaintiff(s),

v.

Maricopa County, et al.

Defendant(s).

Case No. CV2021-096095

SUMMONS

To: RN 1922H

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Plaintiff(s),

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Case No. CV2021-096095

SUMMONS

To: Keturah Volpe CH144

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Plaintiff(s),

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Case No. CV2021-096095

SUMMONS

To: Dr. Gan CH137

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Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of MARICOPA

SIGNED AND SEALED this Date: *December 31, 2021*

JEFF FINE
Clerk of Superior Court

By: *CECILIA CUELLAR*
Deputy Clerk



Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

Person/Attorney Filing: Keith M Knowlton
Mailing Address: 9920 S. Rural Road, Ste. 108 Pmb# 132
City, State, Zip Code: Tempe, AZ 85284
Phone Number: (480)755-1777
E-Mail Address: keithknowlton@msn.com
[] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 011565, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays

Plaintiff(s),

v.

Maricopa County, et al.

Defendant(s).

Case No. CV2021-096095

SUMMONS

To: R, Avalo PAC1362H

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IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays

Plaintiff(s),

v.

Maricopa County, et al.

Defendant(s).

Case No. CV2021-096095

SUMMONS

To: MHP CH139

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[] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 011565, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stehon M Wrays

Plaintiff(s),

v.

Maricopa County, et al.

Defendant(s).

Case No. CV2021-096095

SUMMONS

To: MHA 1790H

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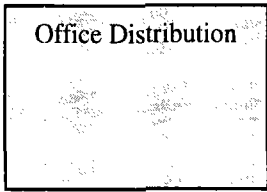
JEFF FINE
Clerk of Superior Court

By: *CECILIA CUELLAR*
Deputy Clerk

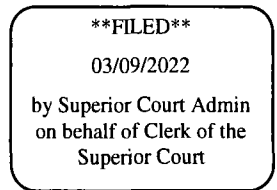


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**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**



03/05/2022

COURT ADMINISTRATION

Ct. Admin
Deputy

Case Number: CV2021-096095

Stephon Wray

V.

Maricopa County

The Judge assigned to this action is the Honorable Stephen M. Hopkins

NOTICE OF INTENT TO DISMISS FOR LACK OF SERVICE

You are hereby notified that the complaint filed on 12/31/2021 is subject to dismissal pursuant to Rule 4 (i) of the Arizona Rules of Civil Procedure. The deadline for completing service is 03/31/2022. If the time for completing service has not been extended by the court and no defendants have been served by this date, the case will be dismissed without prejudice.

All documents required to be filed with the court should be electronically filed through Arizona Turbo Court at www.azturbocourt.gov.

Superior Court of Maricopa County - integrated Court Information System

Endorsee Party Listing

Case Number: CV2021-096095

Party Name	Attorney Name
Stephon Wray	Keith M Knowlton Bar ID: 011565

1 KEITH M. KNOWLTON, L.L.C.
2 9920 S. Rural Road, Suite 108
3 PMB# 132
4 Tempe, Arizona 85284-4100
5 (602) 692-6083
6 FAX (480) 471-8956
7 Attorney for Plaintiff
8 **Keith M. Knowlton - SBN 011565**
9 keithknowlton@msn.com

10 *Attorney for Plaintiff*

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stephon Wrays,

Plaintiff,

vs.

Maricopa County, Trisha Amin, 1218H; MHA
1114H; RN 1022H; Keturah Volpe CH 144; Dr.
Gan CH137; R Avalo PAC1632H; MHP CH139;
MHA 1790H John & Jane Does and Entities I-X,

Defendants

No. CV2021-096095

PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO SERVE
DEFENDANTS

Plaintiff Stephon Wrays, ("Wrays") requests the Court extend the deadline to serve Defendants in this case. Plaintiff has served all Defendants but Nurse CH 139 through legal Liasson at Maricopa County Correctional Health Services. Nurse MHP CH 139 no longer works for Correctional Health Services. Plaintiff is in the process of obtaining a full name for this Defendant and doing a skip trace on Defendant and needs additional time to locate the Nurse and serve the Nurse.

WHEREFORE, Plaintiff requests an additional thirty (30) days from March 31, 2022 to serve Defendants in this case to allow location and service of the Nurse.

1
2 RESPECTFULLY SUBMITTED this 31st day of March, 2022.

3 KEITH M. KNOWLTON, L.L.C.

4
5 By /s/ Keith Knowlton
6 Keith M. Knowlton, SBN 011565
7 Attorney for Plaintiff
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Clerk of the Superior Court
*** Electronically Filed ***
04/08/2022 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-096095

04/07/2022

HONORABLE STEPHEN M. HOPKINS

CLERK OF THE COURT
C. Avena
Deputy

STEPHON WRAY

KEITH M KNOWLTON

v.

MARICOPA COUNTY, et al.

MARICOPA COUNTY
CLERK OF THE BD OF SUPERVISORS
301 E JEFFERSON FL 10
PHOENIX AZ 85003

M H A, 1114H
234 N CENTRAL AVE
STE 5100
PHOENIX AZ 85004
M H A, 1790H
234 N CENTRAL AVE
STE 5100
PHOENIX AZ 85004
TRISHA AMIN
234 N CENTRAL AVE
STE 5100
PHOENIX AZ 85004
R AVALO
234 N CENTRAL AVE
STE 5100
PHOENIX AZ 85004
KETURAH VOLPE
234 N CENTRAL AVE
STE 5100
PHOENIX AZ 85004
JUDGE HOPKINS

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-096095

04/07/2022

MINUTE ENTRY

The Court has received Plaintiff's request for additional time to serve the Summons and Complaint. Good cause appearing,

IT IS ORDERED extending the time to complete service to July 14, 2022.

The Court has granted an extension of time for Plaintiff to serve the Complaint and accompanying documents in this case which supersedes the original time computation for dismissal on the Inactive Calendar. Therefore,

IT IS FURTHER ORDERED placing this case on the Inactive Calendar for dismissal without further notice on July 15, 2022 unless an Affidavit of Service of Process is filed before that date indicating that service has been effected in accordance with the Arizona Rules of Civil Procedure.

CLERK OF THE
SUPERIOR COURT
RECEIVED CCB #2
DOCUMENT DEPOSITORY

2022 APR 12 PM 12:38

FILED
BY S Myers DEP.

Linda R. Rizer
888 E. Clinton Street, 2128
Phoenix, AZ 85020

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stephon M. Wray;)
)
Plaintiff) CV2021-096095
) Case No.: ~~CV2021-096050~~

CERTIFICATE OF SERVICE BY
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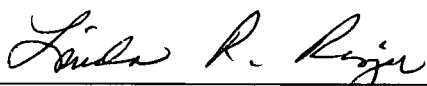
Maricopa County, et al)

Defendant(s).

Linda R. Rizer, upon her oath and personal knowledge, states as follows:

1. I am over twenty-one (21) years of age, suffer no legal disabilities, and am licensed in Maricopa County as a private process server.
2. On March 31, 2022, at 10:30 am, I served a SUMMONS and COMPLAINT on Katherine De La Cruz-Martinez, Paralegal, at Correctional Health Services, 234 N. Central Avenue, Suite 5100, Phoenix, AZ 85004 for Risha Amin 1218H. Description: Female, Hispanic, 30's, 5'4", 140 lbs., black hair, brown eyes.

I swear under penalty of perjury pursuant to A.R.C.P. 80(c), this 7th day of April 2022 that the foregoing is true and correct.


Linda R. Rizer, ID #MC-8379

Linda R. Rizer
888 E. Clinton Street, 2128
Phoenix, AZ 85020

CLERK OF THE
SUPERIOR COURT
RECEIVED CCB #2
DOCUMENT DEPOSITORY

2022 APR 12 PM 12:39

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

BY *S Myers* FILED DEP.

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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Maricopa County, et al)

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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
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FILED
BY S Myers DEP

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Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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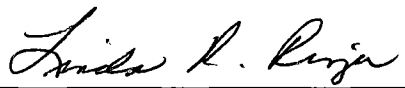
Maricopa County, et al

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CV2021-096095

Case No.: ~~CV2021-096050~~

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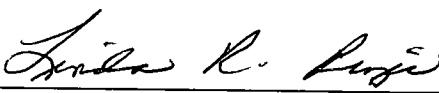
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FILED
BY S Myers DEP.

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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Maricopa County, et al)

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By Clerk of the Court

Linda R. Rizer
888 E. Clinton Street, 2128
Phoenix, AZ 85020

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BY S Myers DEP.

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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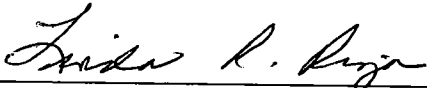
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Linda R. Rizer
888 E. Clinton Street, 2128
Phoenix, AZ 85020

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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

FILED
BY S Myers DEP.

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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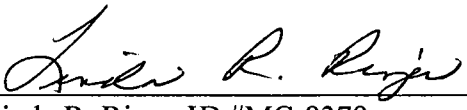
Maricopa County, et al

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888 E. Clinton Street, 2128
Phoenix, AZ 85020

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BY S Myers DEP.

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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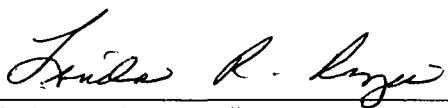
Maricopa County, et al)

Defendant(s).

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2. On March 31, 2022, at 10:30 am, I served a SUMMONS and COMPLAINT on K. Sandoval, Clerk, at the Maricopa County Treasurer's Office, 301 N. Central Avenue, Phoenix, AZ 85004 for Maricopa County. Description: Female, Caucasian, 30's, 5'5", 140 lbs., brown hair, brown eyes.

I swear under penalty of perjury pursuant to A.R.C.P. 80(c), this 7th day of April 2022 that the foregoing is true and correct.


Linda R. Rizer, ID #MC-8379

Linda R. Rizer
888 E. Clinton Street, 2128
Phoenix, AZ 85020

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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

FILED
BY S Myers

DEF

Stephon M. Wray;

Plaintiff

CV2021-096095

Case No.: ~~CV2021-096050~~

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A PRIVATE PROCESS SERVER

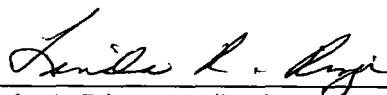
Maricopa County, et al

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Linda R. Rizer, upon her oath and personal knowledge, states as follows:

1. I am over twenty-one (21) years of age, suffer no legal disabilities, and am licensed in Maricopa County as a private process server.
2. On March 31, 2022, at 10:30 am, I served a SUMMONS and COMPLAINT on Katherine De La Cruz-Martinez, Paralegal, at Correctional Health Services, 234 N. Central Avenue, Suite 5100, Phoenix, AZ 85004 for MHA 1114H. Description: Female, Hispanic, 30's, 5'4", 140 lbs., black hair, brown eyes.

I swear under penalty of perjury pursuant to A.R.C.P. 80(c), this 7th day of April 2022 that the foregoing is true and correct.


Linda R. Rizer, ID #MC-8379

ATTACHMENT 6

Verification of DCA Sherle R. Flaggman

VERIFICATION OF SHERLE R. FLAGGMAN

STATE OF ARIZONA)

)ss.

County of Maricopa)

I, Sherle R. Flaggman, declare under penalty of perjury that I am a Deputy County Attorney with the Maricopa County Attorney's Office, Civil Services Division and that the attached documents are true and complete copies of all pleadings and other documents filed in the state court proceeding *Stephon Wrays v. Maricopa County et al.*, Maricopa County Superior Court Case No. CV2021-096095.

DATED this 2nd day of May 2022.

RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY

By /s/ Sherle R. Flaggman
SHERLE R. FLAGGMAN
Deputy County Attorney

EXHIBIT C

Superior Court Notice of Removal to the
Federal District Court

RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY

By: SHERLE R. FLAGGMAN (019079)
flaggmas@mcao.maricopa.gov
Deputy County Attorney

CIVIL SERVICES DIVISION
225 West Madison Street
Phoenix, Arizona 85003
Telephone (602) 506-3411
Facsimile (602) 506-4316
ca-civilmailbox@mcao.maricopa.gov
MCAO Firm No. 0003200

Attorney for Defendants

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Stephon Wrays,

Plaintiff,

v.

Maricopa County; Trisha Amin, 1218H;
MHA 1114H; RN1022H; Keturah Volpe,
CH144; Dr. Gan, CH137; R. Avalos,
PAC 1632H; MHP CH139; MHA 1790H;
John and Jane Does; Entities I-X,

Defendants.

No. CV2021-096095

**NOTICE OF FILING NOTICE OF
REMOVAL**

(Assigned to the Hon. Stephen Hopkins)

TO THE CLERK OF THE COURT AND PLAINTIFF:

PLEASE TAKE NOTICE THAT Defendants, through undersigned counsel, hereby
notify this Court that they are filing/have filed a Notice of Removal of this action to the
United States District Court for the District of Arizona.

A copy of the Notice of Removal without attachments filed today, May 2, 2022, is

1 attached hereto as Exhibit A.

2
3 **RESPECTFULLY SUBMITTED** this 2nd day of May 2022.

4 RACHEL H. MITCHELL
5 MARICOPA COUNTY ATTORNEY

6 BY: s/Sherle R. Flaggman
7 SHERLE R. FLAGGMAN
8 Deputy County Attorney
9 *Attorney for Defendants*

10
11 CERTIFICATE OF SERVICE

12 I hereby certify that on May 2, 2022, I caused the foregoing document to be
13 electronically transmitted to the Clerk's Office using the TurboCourt System for filing and
14 transmittal of a Notice of Electronic Filing to the following registrants:

15 Honorable Stephen Hopkins
16 Maricopa County Superior Court
17 Southeast Facility – 2G/207
18 222 E. Javelina Ave.
19 Mesa, AZ 85210

20 Keith M. Knowlton, Esq.
21 KEITH M. KNOWLTON, L.L.C.
22 9920 S. Rural Rd., Ste. 108, PMB #132
23 Tempe, AZ 85284-4100
24 keithknowlton@msn.com
Attorney for Plaintiff

25 s/J. Barksdale

26 S:\CIVIL\CIV\Matters\CJ\2022\Wray v. MC, et al. 2022-0043\Pleadings\Removal\NOF NOR.docx
27
28

EXHIBIT A

**NOTICE OF REMOVAL OF MARICOPA COUNTY SUPERIOR COURT
CASE NO. CV2021-096095 TO THE UNITED STATES DISTRICT COURT
(WITHOUT EXHIBITS)**

RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY

By: SHERLE R. FLAGGMAN (019079)
flaggmas@mcao.maricopa.gov
Deputy County Attorney

CIVIL SERVICES DIVISION
225 West Madison Street
Phoenix, Arizona 85003
Telephone (602) 506-3411
Facsimile (602) 506-4316
ca-civilmailbox@mcao.maricopa.gov
MCAO Firm No. 0003200

Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Stephon Wrays,

Plaintiff,

v.

Maricopa County; Trisha Amin, 1218H;
MHA 1114H; RN1022H; Keturah Volpe,
CH144; Dr. Gan, CH137; R. Avalos,
PAC 1632H; MHP CH139; MHA 1790H;
John and Jane Does; Entities I-X,

Defendants.

NO. _____

**NOTICE OF REMOVAL OF
MARICOPA COUNTY SUPERIOR
COURT CASE NO. CV2021-096095
TO THE UNITED STATES
DISTRICT COURT**

Defendants, pursuant to 28 U.S.C. § 1331, §1441(c), §1446(a), and Rule 3.6, Local
Rules Civil Procedure for the District of Arizona, notices the removal of the above-
captioned case, cause number CV2021-096095, from the Arizona Superior Court,
Maricopa County, to this Court, and in support of removal asserts the following:

1 1. On or about December 31, 2021, Plaintiff filed a Complaint against
2 Defendants in the Superior Court of the State of Arizona for the County of Maricopa under
3 the caption *Stephon Wrays v. Maricopa County, et al.*, Case No. CV2021-096095. A copy
4 of the Complaint, and all other documents previously filed in this matter and served on
5 Defendants are attached hereto within Exhibit “B”. (Exhibit “A” is the Civil Cover Sheet.)
6

7 2. The Complaint was served on Defendants Trisha Amin, Keturah Volpe,
8 Victor Gan, Robin Avalos, Viviana Machado, Cindy Zaffino, Taylor Newell and Karen
9 Mejia Quintana on March 31 2022. Defendant Maricopa County was served on April 25,
10 2022.
11

12 3. As of date of this removal, Defendant Angela Fischer has not been served.
13

14 4. This Notice of Removal is being filed within 30 days after service of the
15 Complaint and is therefore timely filed under 28 U.S.C. § 1446(b).
16

17 5. The lawsuit filed in Maricopa County, among other claims, alleges the
18 violation of Plaintiff’s civil rights and is brought under 42 U.S.C. § 1983 for violations of
19 the Fourth and Fourteenth Amendments of the United States Constitution.
20

21 6. By reason of the above facts, (a) the United States District Court has original
22 jurisdiction of this civil action pursuant to 28 U.S.C. § 1441(c). All served Defendants
23 consent to the removal of this action.
24

25 7. A Notice of Filing of Notice of Removal, a true and correct copy of which is
26 attached as Exhibit “C,” has been filed in the Arizona Superior Court, County of Maricopa.
27
28

1 WHEREFORE, Defendants respectfully request that the above action now pending
2 in the Arizona Superior Court, Maricopa County, be removed to this Court.

3
4 **RESPECTFULLY SUBMITTED** this 2nd day of May 2022

5
6 RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY

7
8 BY: s/Sherle R. Flaggman
9 SHERLE R. FLAGGMAN
10 Deputy County Attorney
Attorney for Defendants

11 CERTIFICATE OF SERVICE

12 I hereby certify that on May 2, 2022, I caused the foregoing document to be
13 electronically transmitted to the Clerk's Office using the CM/ECF System for filing and
14 transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

15 Clerk of the Court
16 United States District Court
17 Sandra Day O'Connor U.S. Courthouse
18 401 W. Washington Street
Phoenix, AZ 85003-2161

19 Keith M. Knowlton, Esq.
20 KEITH M. KNOWLTON, L.L.C.
21 9920 S. Rural Rd., Ste. 108, PMB #132
22 Tempe, AZ 85284-4100
keithknowlton@msn.com
23 Attorney for Plaintiff

24 s/J. Barksdale

25 S:\CIVIL\CIV\Matters\CJ2022\Wray v. MC, et al. 2022-0043\Pleadings\Removal\NOR.docx
26
27
28

From: [TurboCourt Customer Service](#)
Sent: Monday, May 2, 2022 1:37 PM
Subject: AZTurboCourt E-Filing Courtesy Notification

PLEASE DO NOT REPLY TO THIS EMAIL.

A party in this case requested that you receive an AZTurboCourt Courtesy Notification.

AZTurboCourt Form Set #6773090 has been DELIVERED to Maricopa County.

You will be notified when these documents have been processed by the court.

Here are the filing details:

Case Number: CV2021096095 (Note: If this filing is for case initiation, you will receive a separate notification when the case # is assigned.)

Case Title: Wray Vs. Maricopa County, Et.Al.

Filed By: Sherle Flaggman

AZTurboCourt Form Set: #6773090

Keyword/Matter #:

Delivery Date and Time: May 02, 2022 1:36 PM MST

Forms:

Attached Documents:

Notice of Removal to Federal Court: Notice of Filing Notice of Removal

Exhibit/Attachment (Supporting): Exhibit A